



Nathan Noh
nnoh@cravath.com
T+1-212-474-1707
New York

December 13, 2024

Re: Gentile et al. v. Doyle, 21-cv-08528 (LTS) (OTW)

Dear Judge Wang:

Pursuant to Rules I(b) and II(e) of Your Honor's Individual Rules & Practices in Civil Cases and the Court's Order on November 8, 2024 (ECF No. 118), we submit on behalf of both Parties the proposed agenda for the In-Person Status Conference scheduled for Wednesday, December 18, 2024 at 10:30 a.m.¹

The parties believe that the following topics should be discussed with the Court during the upcoming In-Person Status Conference: (1) the status of discovery; (2) the currently-proposed deposition schedule; and (3) the overall discovery schedule.

1. **Status of Discovery**

A. **Discovery Schedule**

On November 8, 2024, the Court extended the deadline to complete fact discovery to February 1, 2025 and the trial-ready date to March 10, 2025 (ECF No. 118).

B. **Document Productions**

Pursuant to the Court's October 28, 2024 Order (ECF No. 110), Counterclaim Defendants' former counsel, Grant & Eisenhofer, made a document production to Counterclaim Plaintiff on October 31, 2024.

2. **Deposition Schedule**

A. **Mr. Gentile**

The parties have agreed to conduct Mr. Gentile's deposition by videoconference on January 11, 2025, beginning at 9:00 am ET.

¹ The Court noted in its Order on December 10, 2024 (ECF No. 129) that it may subsequently convert the In-Person Status Conference to a telephonic conference for all parties.

NEW YORK

Two Manhattan West
375 Ninth Avenue
New York, NY 10001
T+1-212-474-1000
F+1-212-474-3700

LONDON

CityPoint
One Ropemaker Street
London EC2Y 9HR
T+44-20-7453-1000
F+44-20-7860-1150

WASHINGTON, D.C.

1601 K Street NW
Washington, D.C. 20006-1682
T+1-202-869-7700
F+1-202-869-7600

CRAVATH, SWAINE & MOORE LLP

B. Mr. Crawford

The parties have agreed to conduct Mr. Crawford's deposition by videoconference on January 20, 2025, beginning at 9:00 am ET.

C. Mr. Doyle

The parties have agreed to conduct Mr. Doyle's deposition by videoconference on January 14, 2025, beginning at 8:00am ET and concluding no later than 12:00pm ET.

3. **Third Party Discovery**

A. Depositions

No third party depositions have been scheduled in light of the Court's direction to "refrain from engaging in any third-party discovery until after Counterclaim Defendants have been deposed" (ECF No. 118).

i. Mr. Doyle's Position

At this time, in light of the widespread infringing conduct by Counterclaim Defendants revealed in their October 31, 2024 compelled document production,² Mr. Doyle anticipates that he will depose, in addition to Counterclaim Defendants, at least eight third parties, subject to completion of Counterclaim Defendants' depositions.

Mr. Doyle objects to the depositions of "28 literary agencies and production companies" proposed by Counterclaim Defendants as improper, irrelevant to their defense of Mr. Doyle's counterclaims and because they are solely intended to harass and inflict damage to Mr. Doyle's reputation.

ii. Counterclaim Defendants' Position

If the Court decides to lift the stay on third-party discovery, Counterclaim Defendants intend to depose all 28 literary agencies and production companies that Mr. Doyle contacted regarding the script he unlawfully copyrighted. Additionally, Counterclaim Defendants plan to depose four individuals, including Sigrid Gilmer, with whom Mr. Doyle conspired to hijack the project under the guise of Defendants' efforts.

Counterclaim Defendants also have a duty to notify the production company Le Train Train and Warner Brothers, that Sigrid Gilmer shared their confidential intellectual property without authorization. This breach of trust by Ms. Gilmer is in line with Mr Doyle's conduct. Ensuring these companies are aware of her actions is essential to maintaining the integrity of their intellectual property and to this litigation.

Counterclaim Defendants oppose the proposed depositions of the "8 third parties" Doyle seeks to involve, as such depositions are improper, immaterial to the resolution of

² As discussed in Mr. Doyle's November 5, 2024 letter-motion, we would be happy to provide the relevant documents to the Court for review if requested.

the claims at issue, and appear to be designed solely to disparage and cause reputational harm to Counterclaim Defendants.

B. Discovery Deadlines

i. Mr. Doyle's Position

Given the Court's instruction to refrain from third-party discovery until after Counterclaim Defendants' depositions have occurred and the now-agreed schedule for the parties' depositions, Mr. Doyle respectfully requests that the deadline to complete fact discovery be extended to March 31, 2025 and the anticipated trial-ready date be extended to April 14, 2025 in order to provide adequate time to notice and conduct appropriate third-party discovery.

ii. Counterclaim Defendants' Position

Counterclaim Defendants object to Mr. Doyle's request to extend the deadline to complete fact discovery and the trial-ready date. The Honorable Judge Wang has issued clear direction and an order that third-party discovery is to be refrained from until depositions have been completed and until the Court issues further orders modifying this directive. We believe it would be inappropriate to assume what the Honorable Judge Wang might decide in the future. Therefore, requesting an extension at this stage is premature and inappropriate.

(***)

As always, we thank the Court for its attention to this matter.

Respectfully,

/s/ Nathan K. Noh

Nathan K. Noh

The Honorable Ona T. Wang
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 20D
New York, NY 10007

VIA CM/ECF

Juan Antonio Crawford
1300 S. Miami Ave
#2001
Miami, FL 33130
iamjantonio@gmail.com

VIA EMAIL

Christopher Gentile
825 Center Street, #28D
Jupiter, FL 33458
chrisgunome@gmail.com

VIA EMAIL AND FIRST CLASS MAIL

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing December 13, 2024 letter to Judge Ona T. Wang to be served: (1) on Juan Antonio Crawford via electronic mail at iamjantonio@gmail.com on December 13, 2024; and (2) on Christopher Gentile via electronic mail at chrisgunome@gmail.com on December 13, 2024 and first class mail at his last known address, 825 Center Street, #28D, Jupiter, FL 33458 on December 16, 2024.

Dated: December 13, 2024

/s/ Nathan K. Noh

Nathan K. Noh